



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

Ref: 8MO

October 24, 2011

Brigadier General John E. Walsh, Commander
Montana Army National Guard
Fort Harrison
P.O. Box 4789
Helena, MT 59604-4789

Richard M. Hotaling, Field Manager
Butte Field Office
Bureau of Land Management
U. S. Department of the Interior
106 North Parkmont
Butte, MT 59701

Re: Final Legislative Environmental Impact Statement
Limestone Hills Training Area Land Withdrawal
CEQ# 20110326

Dear General Walsh and Mr. Hotaling:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Final Legislative Environmental Impact Statement (FEIS) for the Limestone Hills Training Area Land Withdrawal in accordance with EPA's responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4321 *et.seq.* and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609.

The EPA concurs with the proposed withdrawal of 18,644 acres of federal lands within the Limestone Hills Training Area (LHTA) from U.S. Department of the Interior/Bureau of Land Management (BLM) administration for transfer to the Department of Army (DA), and thus, allow the Montana Army National Guard (MTARNG) to conduct military readiness training with reduced risks to public safety. The preferred alternative would authorize the DA and MTARNG to accept transfer of administrative responsibility for all federal land within the LHTA from the BLM to facilitate clearance of unexploded ordnance on the military training range, and reduce risk of public exposure to unexploded ordnance.

We do want to note that the FEIS indicates that the MTARNG could fence the high explosive impact area located within the closure area to deter human access (page 2-26), but does not specifically state that they would fence off the high explosive impact area to reduce public risks. Table 2-8 (page 2-62) indicates that the preferred alternative would not include fencing for high explosive impact areas unless

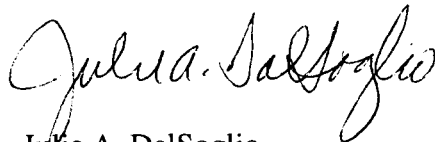


fencing is requested by a livestock permittee. In addition, the FEIS states that warning signs instead of fencing would be used to avoid adverse impacts to wildlife and livestock in areas contaminated with unexploded ordinance (page 2-18). We are concerned that warning signs are not likely to be as effective as fencing and warning signs together in avoiding entry of the public and wildlife and livestock into such areas. We encourage the DA/MTARNG and BLM to consider including fencing along with warning signs for high explosive impact areas and other areas contaminated with unexploded ordinance. We believe fencing and warning signs together would more effectively provide for public safety, and better avoid wildlife and livestock access into such areas.

We also encourage the DA/MTARNG and BLM to assure that herbicides and chemicals used for weed control in the LHTA are applied in a safe manner in accordance with Federal label instructions and restrictions that allow protection and maintenance of water quality standards and ecological integrity, and avoid public health and safety problems. Montana Water Quality Standards {Administrative Rules of Montana (ARM) 17.30.6 and 17.30.7} do not include numerical criteria for aquatic life protection for many herbicides. However, it is important to recognize that research and data requirements necessary to establish numerical aquatic life water quality criteria are very rigorous, and many herbicides and weed control chemicals in use are toxic, even though numerical aquatic life criteria have not been established. The Montana Water Quality Standards do include a general narrative standard requiring surface water *"to be free from substances that create concentrations which are toxic or harmful to aquatic life."*

We thank you for the opportunity to review and comment during the NEPA process. If you have any questions please feel free to call Mr. Stephen Potts of my staff in Missoula at 406-329-3313 or in Helena at 406-457-5022.

Sincerely,

A handwritten signature in black ink, reading "Julie A. DalSoglio". The signature is fluid and cursive, with the first name "Julie" and last name "DalSoglio" clearly legible.

Julie A. DalSoglio
Director
Montana Office

cc: Suzanne Bohan/Judy Roos, EPA, 8EPR-N, Denver